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Follow-up to the outcome of the Millennium Summit

Mandating and delivering: analysis and recommendations to facilitate the review of mandates

Report of the Secretary-General

Summary

In September 2005 at the World Summit, global leaders resolved to "strengthen and update the programme of work of the United Nations so that it responds to the contemporary requirements of Member States". To that end, they instructed the General Assembly and other relevant organs to "review all mandates older than five years originating from resolutions of the General Assembly and other organs", and requested me to facilitate this with analysis and recommendations. The present report responds to that request, and aims to provide Member States with an analytical framework for their review of the Organization's current mandates.

Legislative mandates express the will of Member States and are the means through which they grant authority and responsibility to the Secretary-General to implement their requests. For the purposes of this report, a mandate has been defined as a request or a direction for action by the United Nations Secretariat or other implementing entities in the system, which originates in a resolution of the General Assembly or one of the other organs.

In response to requests from several Member States, the Secretariat has compiled an electronic inventory of mandates originating from the resolutions of the General Assembly, the Economic and Social Council, and the Security Council.[1]

[1] Since the membership has indicated a wish to examine opportunities for programmatic shifts, information has been gathered only on active mandates. As a consequence, mandates of the Trusteeship Council have not been included.

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This inventory, which is presented as a searchable online registry, will give Member States access to information on the Organization's active and potentially active mandates that are older than five years, and the resolutions from which they derive, in a convenient way.[2]

The mandate-generation cycle through which mandates are adopted, funded and implemented, and then considered for continuation, change or elimination, should be re-examined. In order to conduct a proper and fully comprehensive review, Member States must be able to serve as better custodians of their mandates. The current system has not sufficiently allowed an intergovernmental organ, once it has adopted a resolution, to analyse the effectiveness of its mandates and how they contribute to the overall priorities of the Organization as a basis for subsequent decision-making. This critical gap has contributed to, or exacerbated, the following problems, which are common to issue areas, departments and entities throughout the Organization:

Burdensome reporting requirements

The single greatest symptom of the lack of a coherent system for evaluating mandates and their effectiveness is the uncoordinated and burdensome mass of reports requested from the Secretariat. The quantity of the reports obscures their quality and impact, overwhelming the Member States and overburdening the Secretariat. Because information is not often provided on the overall picture of the Organization's work in an area, it is difficult through those reports to judge the effectiveness of mandates in meeting the Organization's objectives.

Overlap between and within organs

Year after year, the General Assembly, the Economic and Social Council and the Security Council continue to adopt new mandates on the same issues, sometimes even under more than one agenda item in the same organ, usually without introducing new ideas or approaches. While some overlap of mandates from different organs is inevitable and different perspectives desirable, the existence of many interrelated mandates is generally confusing, redundant and wasteful.

An unwieldy and duplicative architecture for implementation

The proliferation of mandates has in some cases led to overlapping, uncoordinated and inconsistent architecture for implementing mandates, in which the whole may be less than the sum of the parts. Little guidance is provided on what to do with older mandates that address the same issues, which therefore linger on over the years.

Gap between mandates and resources

A fundamental and recurring challenge has been the adoption, year after year, of hundreds of mandates which must be implemented within resource constraints that do not keep pace. Member States confer additional responsibilities with neither corresponding funds nor guidance on how resources should be reallocated. This gap leads to real costs for the Organization and the people it serves.

* * *

[2] The registry identifies those mandates that have been renewed in the past five years and also includes those mandates issued since September 2000 for reference purposes so that the membership may see the totality of mandates.

Some of these problems might be addressed if the system were strengthened to improve Member States custodianship of their mandates. More strategic interaction through better reporting to Member States on the state of mandates would not only unburden the Secretariat but also — importantly — would enable Member States to ascertain whether their mandates are being effectively implemented and whether they contribute to the overall goals and priorities of the Organization. This more transparent system would allow Member States, when considering the adoption or renewal of mandates, to make informed and deliberate decisions about the direction in which they want the Organization to go. Such a system would require the development and more strategic use of three tools:

(a) Reports and documentation requirements. Reporting should be improved and consolidated to provide timely, concise and clear information in a way that meets the needs of the Member States and in a manner that does not overburden the Secretariat.

(b) Mandate monitoring and evaluation. The principal organ from which a mandate originates should have information on the effectiveness of its mandates and an understanding of how they fit into the overall programme of work of the Organization, in order to make decisions about future mandates. Evaluative information is crucial for this purpose and it must be strengthened.

(c) Legislative decisions and resolutions. Member States should provide strategic direction and objectives when adopting resolutions and, for fuller accountability, the Secretary-General should determine which entity or department is the most competent to lead implementation efforts.

To ensure that information is provided in a strategic manner that meets the true demand for knowledge about the work of the United Nations, a set of core policy reports on each of the Organization's priority areas could be prepared to provide a full picture of all the activities in each thematic area. When a draft resolution is being considered, the Secretariat could provide, in addition to estimates of budget implications, information about the proposed mandates that the resolution contains. This information could include (a) the status of implementation, and evaluation of the effectiveness of previous mandates that address the same issue; (b) an explanation of how the proposed mandate will complement or supplement existing structures, conferences, reports and activities; and (c) indications of how the mandate might serve the overall goals of the Organization.

In addition, the online registry of mandates could be used by Member States as a simple monitoring tool to inform them of the basic status of the implementation of their mandates, as has been requested by several delegations. I will further support Member States in their efforts to rationalize mandates in various issue areas by providing analysis and possible options for consideration. Member States may wish to initiate a process to consider more fully which intergovernmental organ should be the primary forum for consideration of certain items, and ways to improve coordination between the principal organs.

The aforementioned problems and issues play out in different ways for each of the Organization's programme priorities and for the United Nations research and training institutes:

A. Maintenance of international peace and security

The increasing complexity of conflicts and the interconnectedness of security and development issues have lead to overlaps between the organs on this set of issues, so that both reporting and architecture need to be updated. The new Peacebuilding Commission may help to harmonize strategies and establish a clearer division of labour on peacebuilding activities. Reports on situations that are no longer crisis-driven could be less frequent, and reports to different organs on the same issue could be consolidated. To ensure effective and timely responses, efforts should be made to ensure that mandated requirements are matched with adequate resources.

B. Promotion of sustained growth and sustainable development

The Economic and Social Council, building on the reaffirmation of its central role in the World Summit Outcome, should better review, guide and monitor the work of the subsidiary machinery. Given the peculiarities of each issue area, from trade and finance to sustainable development and human settlements, Member States could review mandates using the analytical framework, and the support of the various networks, created in the context of the Executive Committee on Economic and Social Affairs. Reporting requirements should be streamlined to better serve the follow-up to the Millennium Declaration. Resources dedicated to development should be more predictable, and so managed as to ensure that high-priority activities are covered.

C. Development of Africa

The adoption in 2002 of the New Partnership for Africa's Development (NEPAD) has allowed different approaches to development in Africa to coalesce around a specifically Africa-defined and Africa-driven approach. It may now be appropriate to review all pre-NEPAD mandates in order to streamline them in the context of NEPAD and to ensure full support to the priorities identified by the African Union.

D. Promotion of human rights

The resolution establishing the new Human Rights Council calls for a streamlining of the various mandates. This offers Member States an opportunity to take immediate action to improve reporting requirements in this area, which are particularly important as they are one of the primary means through which human rights are monitored, and Member States are held accountable for the fulfilment of treaty obligations.

E. Effective coordination of humanitarian assistance

The scale and magnitude of recent emergencies and disasters clearly demonstrate the need for a timely and coordinated humanitarian response. While some overlap in mandates among implementing entities exists, the main concern here is that the principal organs often approach humanitarian assistance in a fragmented manner, which can result in implementation gaps. Addressing those gaps is necessary to ensure that emergency needs are met.

F. Promotion of justice and international law

Mandates in this area have expanded greatly in scope and intricacy, either because of the expanded jurisdiction of United Nations organs, and of other entities serviced by the Office of Legal Affairs, or because the spectrum of legal issues to be dealt with has increased in response to the demands of transitional justice work. This has stretched the capacity of the Office to respond effectively and efficiently to the needs of Member States. Taking some steps to provide information to Member States in a more efficient manner may better serve the goals and priorities of the United Nations in this area.

G. Disarmament

Consultations and resolutions on disarmament have not always produced the intended results. Similarly, extensive deliberations and reporting sometimes have rather limited additional value in this area, owing to the sensitivity of the issues involved. It might make sense to adopt fewer resolutions of a general nature, unconnected to any immediate situation. On issues such as missiles, where Member States are deadlocked on points of substance, different ways to conduct deliberations and studies should be considered.

H. Drug control, crime prevention and combating international terrorism

Over the past 10 years, the activities of the United Nations in the fields of drug control, transnational crime prevention and combating terrorism have grown considerably. It is important that any unnecessary overlaps or duplications be identified so that their resources can be shifted to the many important aspects of work in the field that are currently under-resourced. In addition, Member States should explore further the idea of one commission to deal with both drugs and crime issues, as well as ways to better coordinate the actions of the three counter-terrorism subsidiary bodies of the Security Council.

I. Gender equality and empowerment of women

Gender issues deserve the same consideration of other cross-cutting priorities in the work of the Organization. Overlapping mandates for reports on gender could be examined and, most importantly, an overall assessment and evaluation of the institutional resources across the system is needed to strengthen the United Nations work in the area of gender equality and gender mainstreaming.

J. Research and training institutes

The various United Nations training and research institutes have evolved in an ad hoc manner. Strengthened coordination, an accountability system and the establishment of a common policy on these institutes would streamline decision-making, and ensure relevance of research to policy. Consolidating these institutes into one United Nations educational research and training system would make it possible to articulate a unifying vision and an overarching set of strategic directions for them, and thereby help to maximize their collective contribution to the United Nations system.

* * *

Some of the problems identified in this report can be addressed quite quickly by Member States, while others will require extended consideration. Thus, I recommend that Member States consider dividing their review of mandates into two distinct phases. The first phase could be devoted to examining mandates in those areas where the problems have been clearly identified and a solution can be reached in the coming months. The second phase would include consideration of groups of mandates which require new processes and guidelines for coming to agreement over a period of time.

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I. Introduction

1. In September 2005, world leaders set in motion a potentially historic process by resolving to "strengthen and update the programme of work of the United Nations so that it responds to the contemporary requirements of Member States". To that end, they called on States Members of the United Nations to "review all mandates older than five years originating from resolutions of the General Assembly and other organs".[1] To facilitate that review, they asked the Secretary-General to provide analysis and recommendations. The present report provides a framework for consideration by the Member States, and the initial tools to undertake this exercise. It does not contain the full range of analyses of the Organization's work that can be made. To build on this initial analysis, the Secretariat stands ready to provide additional proposals at a later stage.[2]

2. The review process touches the very core of the Organization. The adoption of many layers of mandates over the 60 years of the existence of the United Nations has resulted in the operational structure and programmes that we see today. Many of those structures have not changed, despite new priorities. This makes such a review essential, if the effectiveness of the United Nations is to be maintained. The need to review the work of the Organization periodically was recognized as early as 1954.

3. In that year — only nine years into the Organization's existence — Secretary-General Dag Hammarskjöld understood the importance of "reassessing, in consultation and agreement with the organs concerned, the role which the Secretariat can most appropriately and constructively play in furthering the objectives of the Charter and [...] of reappraising the nature and scope of the activities it can most usefully undertake".[3] Pursuant to decisions of the General Assembly at its eighth session, Hammarskjöld saw it as his duty to "offer advice and express opinion" on the work of the Organization.

4. Dag Hammarskjöld came to three key conclusions: first, that the Secretariat's contribution to the work of the United Nations was most effective and enduring when their activities strengthened and supplemented each other; second, that "the very nature of the responsibilities that must be assumed by the Secretary-General and his senior staff imposes a limit on the volume of the tasks that can be handled effectively"; and, third, that "certain Governments, after a certain point, find it difficult to cope with the mass of documentation and other information provided by the Organization". As a result, he believed that responsible intergovernmental organs must make a choice between urgent and less urgent mandates.

5. Over 50 years later, Dag Hammarskjöld's observations are more valid than ever. The current process gives us a new opportunity to match the aspirations for our Organization with the practical constraints we face, so that it can respond to the challenges that confront us today. It is not an easy task.

[1] See resolution 60/1, para. 163 (b).

[2] The present report and the companion registry of mandates are the product of collaborative efforts by the implementing entities of the Secretariat and other parts of the larger United Nations family. This process has given these entities an invaluable opportunity to reflect upon the mandates they implement and to make suggestions for future improvements.

[3] See the introduction to the ninth annual report of the Secretary-General to the Member States on the work of the United Nations for the period 1 July 1953-30 June 1954 (A/2663).

6. There are numerous difficulties which stem from the magnitude of the exercise and the lack of adequate information on every mandate on which to base a full review. Strategic information on the effectiveness of the mandates that permits us to judge how they contribute to the overall goals of the Organization will become indispensable as we move to revitalize the United Nations, making it truly accountable to its members and ensuring that it fulfils its commitments to people around the world.

7. The exercise will in many ways be mutually reinforcing with other processes under way, including the management reform efforts, the review of governance and oversight, the examination of system-wide coherence, and the revitalization of the General Assembly itself. Management reform and improved oversight can help the Secretariat to implement mandates better, and hold it accountable for doing so. Similarly, the study and recommendations on system-wide coherence will chart a path towards a more effective delivery mechanism for the United Nations system as a whole. Decisions by Member States on revitalization of the General Assembly will affect the Assembly's agenda and thus also the resolutions falling under different agenda items, and the mandates that they comport. In other words, the revitalization exercise will provide a strong base on which Member States can conduct the mandate review.

8. As the review proceeds, the Secretariat will support the process, in appropriate ways, with the same spirit of collaboration, to help to adapt the Organization to contemporary priorities. Member States thus have a unique opportunity to strengthen and focus our Organization. This is an opportunity that they should seize.

II. Inventory of mandates

9. Legislative mandates express the will of the Member States and are the means through which the membership grants authority and responsibility to the Secretary-General to implement its requests.[4] The resolutions adopted from year to year by each of the principal organs are the primary source of mandates. Mandates are both conceptual and specific; they can articulate newly developed international norms, provide strategic policy direction on substantive and administrative issues, or request specific conferences, activities, operations and reports.

10. For this reason, mandates are not easily defined or quantifiable; a concrete legal definition of a mandate does not exist. Resolutions often signify directives for action by employing words such as "requests", "calls upon", or "encourages", but an assessment to distinguish the level of legal obligation arising from the use of these different words has yielded no definitive answers. Such ambiguity in resolutions may be deliberate — to make it easier for Member States to reach decisions. But since the membership has indicated a wish to use its review of mandates to examine opportunities for programmatic shifts, it is both necessary and desirable to identify a working definition of the unit of analysis and delineate the scope of the exercise.

11. Guided by the 2005 World Summit Outcome and subsequent discussions in the plenary, I have defined a mandate as a request or a direction, for action by the

[4] While some mandates request action by specific Member States, groups of Member States, or the international community, this exercise focuses on those mandates that are addressed to the Secretariat and the other parts of the United Nations system.

United Nations Secretariat or other implementing entities, that derives from a resolution of the General Assembly or one of the other relevant organs.

12. To facilitate the review and as a companion piece to this report, the Secretariat has compiled an electronic registry of mandates originating from the resolutions of the General Assembly, the Security Council and the Economic and Social Council.[5] The registry of mandates, along with accompanying guidance for users, is accessible at www.un.org/mandatereview.

13. The registry, which responds to requests from several Member States, is a searchable online inventory, and will give all delegations convenient access to information on all the Organization's active mandates and resolutions. It has the potential to improve communication and engagement between the membership and the Secretariat, as well as helping the principal organs manage their agenda. The inventory enables delegations to analyse mandates in a number of ways including by issue area, organ and date of adoption, type of activity requested, geographic scope and implementing entity. As agreed by the membership during consultations on the review of mandates, the issue areas that are used for this analysis are those identified in the Organization's programme priorities.[6]

14. The inventory currently contains only those mandates that are active or potentially active, because the review is being undertaken in order to "strengthen and update" the Organization, and not as a historical or archival record. A mandate has been considered active or potentially active if it meets at least one of three criteria: (a) at least one United Nations department or entity has indicated that the mandate is currently being implemented; (b) it receives an allocation in the budget;[7] (c) it has appeared on an agenda of one or more of the principal organs from September 2000 to September 2005.[8] A distribution of the active mandates by principal organ is provided in figure 1. The inventory includes mandates beyond those referred to in this report. Various sensitive issues have been discussed by the Member States during their consultations. Details of those mandates, like all others, are available in the electronic database.

[5] The Trusteeship Council currently has no active mandates. Furthermore, mandates stemming from legal instruments other than resolutions, such as decisions, plans of action or conventions, are not included in the inventory because of time constraints, but may be added on an ongoing basis at the request of Member States.

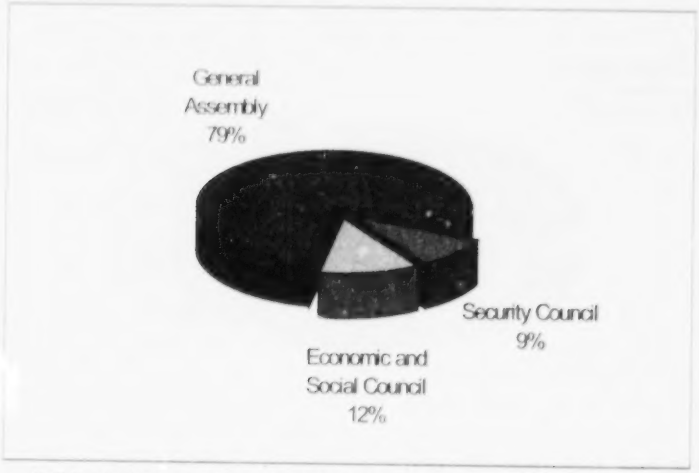
[6] These are identified in the biennial programme plan and priorities for the period 2006-2007 (A/59/6/Rev.1), are the basis for the organization of the General Assembly's agenda, and correspond to the programme priorities identified in section IV.

[7] This includes those legislative mandates listed in the biennial programme plan and priorities for the period 2006-2007, as well as documents on the peacekeeping budget.

[8] The annotated agendas for the General Assembly and Economic and Social Council were used for mandates from those organs during the past five years. In the absence of an annotated agenda for the Security Council, the report of the Security Council to the General Assembly for the past five years was used.

Figure I

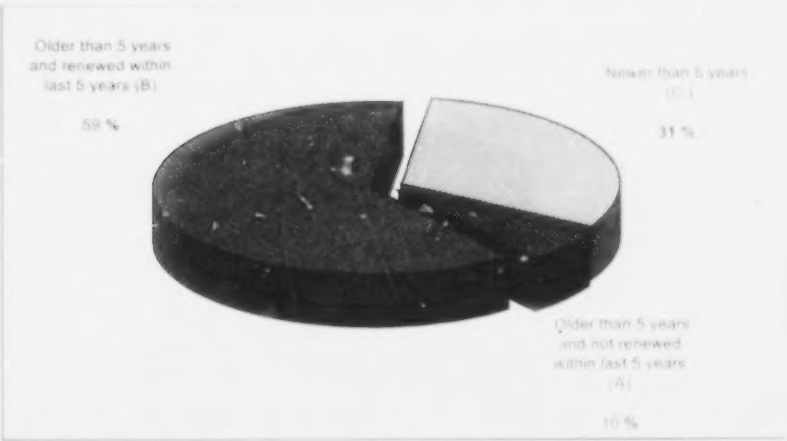
Distribution of active mandates by principal organ*



* This distribution reflects the data in the mandate registry, which is a work in progress.

15. The Summit Outcome also requests that the review be undertaken of mandates "older than five years". Owing to inconclusive consultations in the General Assembly over the past few months on how to interpret this phrase, the inventory includes (a) mandates originally adopted more than five years ago which have not been renewed within the past five years and (b) mandates originally adopted more than five years ago which have been renewed within the past five years in subsequent resolutions. It also includes, for reference, (c) mandates adopted within the past five years, so that the membership may see the totality of mandates, including those that may fall outside the scope of the review. In the registry, mandates are identified as falling in one of the three categories. The distribution of mandates between the three categories is illustrated in figure 2.

Figure 2
Distribution of renewed and non-renewed active mandates*


Older than 5 years and renewed within last 5 years (B)
59 %
Newer than 5 years (C)
31 %
Older than 5 years and not renewed within last 5 years (A)
10 %

* This distribution reflects the data in the mandate registry, which is a work in progress.

III. Key challenges

16. In the course of preparing this analysis it has become apparent that, if Member States are to conduct a proper and fully comprehensive review, they will need the tools and information to enable them to serve as better custodians of their mandates, and to analyse the effectiveness of those mandates and how they contribute to the achievement of the overall priorities of the Organization. The mandate-generation cycle, by which mandates are adopted, funded and implemented, and then considered for continuation, change or elimination, should be re-examined. Currently the system does not sufficiently allow an intergovernmental organ, once it has adopted a resolution, to analyse the effectiveness of the mandate within the broader picture of the Organization's work as a basis for subsequent decisions about it. There are gaps in the cycle, and responsibility for each part of the follow-up is not clearly defined. Sometimes, decisions to change programmatic mandates and priorities are assigned to bodies that may not be appropriately empowered to do so.

17. For the renewal of current mandates or the adoption of future ones, the system should be significantly strengthened to ensure that the intergovernmental body from which a mandate originated has clear, transparent and timely information about its effectiveness. This includes knowing whether and how effectively the mandate was implemented, how well its outcomes contributed to the overall objectives of the Organization, what further actions or resources are needed, and whether the need for the mandate may have decreased. Importantly, it also includes making use of that information. Indeed, during informal consultations on the review of mandates, many delegations made it clear that, to conduct this exercise, they wished to have better information on the status of implementation of each of their mandates and whether

mandated activities were effectively serving their intended purpose. However, concise, regular and transparent information of this nature is not adequately available and used for making decisions.[9]

18. Such a critical gap has contributed to or exacerbated the following problems, which are common to issue areas and departments across the Organization:

Burdensome reporting requirements

19. The single greatest symptom of the lack of a coherent system for evaluating mandates and their effectiveness is the uncoordinated and burdensome mass of reports requested from the Secretariat. About one in every three mandates is a request for a report, making this the mandated activity that is most frequently contained in resolutions. In 2005 alone, almost 1,200 reports and policy documents were provided to the Member States. In addition, the Secretariat is required to provide hundreds of detailed briefings, often for deliberations on the same issue in different intergovernmental bodies. The volume of information to be read and processed also burdens Member States. Many reports are requested in the context of a specific resolution, rather than providing a horizontal view on the work of the Organization. Sometimes the request for a report reflects a political compromise rather than a genuine need for information to illuminate a certain area. Often requests may result in reports that are redundant, and mandates for recurring reports are not updated to reflect changing conditions or requirements.

20. This excessive descriptive and analytical output has created several problems. First, the quality of the reports suffers and their content gets lost in the proliferation of papers. Second, staff and resources are devoted to producing, translating and processing many reports rather than focusing on ensuring better-quality ones. Furthermore, it overburdens delegations, especially the smaller ones which are less able to sort through and process such an immense volume of information from the Secretariat, with the result that many reports are left unread. Lastly, because Member States often do not receive the overall picture of the Organization's work in an area, it is difficult to judge the effectiveness of the mandates in meeting the Organization's objectives. This in turn makes effective governance more difficult, and impedes strategic consideration of substantive issues.

Overlap between and within principal organs

21. The Charter delineates the different responsibilities of the principal organs. However, over the years and in response to more complex challenges and emerging developments around the world, the division of labour in the realities on the ground has become less clear. As I pointed out in my report entitled "In larger freedom: towards development, security and human rights for all" (A/59/2005), poverty and the denial of human rights can contribute to instability, violence and crime, while war and conflict can set back development. With such linkages between issues, overlap between the organs is inevitable, and different perspectives are desirable. However, in most cases, inadequate coordination and the adoption of many related mandates by different organs — or indeed by the same organ — can be confusing, redundant and wasteful.

[9] The report on management reform, entitled "Investing in the United Nations: for a stronger Organization worldwide" (A/60/692), indicated that performance evaluation must be resourced and strengthened, as it has been mandated in several resolutions.

22. Year after year, new mandates continue to be adopted in the General Assembly, the Economic and Social Council and the Security Council, sometimes even under different agenda items in the same organ, on issues that have already been addressed in previous resolutions, usually without introducing new ideas or approaches. Without clearer directives from the principal organs, many parts of the Secretariat and the United Nations system carry out multiple activities on a single issue area without those activities reinforcing one another.

An unwieldy and duplicative architecture for implementation

23. Despite the many successes of the United Nations, the proliferation of resolutions adopted has led to an architecture for implementing mandates in priority areas that is in some cases overlapping, uncoordinated and inconsistent, in which the whole may be less than the sum of its parts. New structures are continually mandated, with little guidance on what to do with older mandates addressing the same issues, which therefore linger on through the years. Mandates that create entities, mechanisms, or forums have been followed by newer ones on the same subject or overridden by newer bodies, when their functions should have been consolidated, phased out or changed. In some areas, duplication of work is also caused by mandates stemming from subsidiary bodies and the governing boards of funds and programmes.

Gap between mandates and resources

24. One of the primary successes of the United Nations, attested by study after study, has been its ability to carry out many field-based activities with far fewer resources than individual Governments would need to produce the same result. But this cost-effectiveness has been achieved despite the fact that the Organization has often been prevented from realizing its full capacity.

25. A fundamental and recurring challenge, particularly for the Secretariat, has been the adoption of hundreds of mandates, year after year, whose implementation must be done within resource constraints that do not keep pace. Member States confer additional responsibilities on top of current activities, but provide neither corresponding funds nor guidance as to how existing resources should be reallocated. This gap leads to real costs for the Organization and the people it serves. The credibility of the United Nations depends on its ability to fully deliver on the commitments it makes.

26. For my part, I have sought, and will continue to seek, the most efficient and effective way to implement all the mandates that Member States have adopted. The management reforms I have proposed will, if adopted, help greatly in this task. But Member States must also do their part. They should eliminate, or at least significantly narrow, the gap between mandates and funding, by taking into account existing mandates and architecture; ensuring that mandates reflect contemporary needs and strategic priorities; building a system to regularly review and consolidate older mandates that no longer respond to Member State priorities; and providing sufficient and timely resources.

A way forward

27. Some of these problems might be addressed if the system were strengthened to improve Member States' custodianship of their mandates through the use of better

tools and interaction with the Secretariat. Strategic interaction between the Member States and the Secretariat would enable Member States to ascertain whether mandates are effectively implemented and how they contribute to the overall goals and priorities of the Organization. This would make possible a more transparent system, in which Member States, when considering the adoption or renewal of future mandates, could make informed and deliberate decisions about the direction in which they want the Organization to go.

28. An effective process — one in which an intergovernmental body issues directives, tracks implementation, takes necessary follow-up action, and decides on additional mandates — requires the development and more strategic use of three tools:

(a) *Reports and documentation requirements*. Reporting should be improved and consolidated to provide timely, concise and clear information in a way that meets the needs of the Member States and in a manner that does not overburden the Secretariat.

(b) *Mandate monitoring and evaluation*. The principal organ from which a mandate originated should have information on its effectiveness and an understanding of how it fits into the overall programme of work of the Organization, in order to make decisions about future mandates. Evaluative information is crucial for this purpose: it must be strengthened.

(c) *Legislative decisions and resolutions*. When adopting resolutions, Member States should provide strategic direction and objectives and, for fuller accountability, the Secretary-General should determine which entity or department is the most competent to lead implementation efforts.

Towards a rationalized documentation architecture

29. The problem of an excessive number of reports and documents is not new. Indeed, in my report entitled "Strengthening of the United Nations: an agenda for further change" (A/57/387 and Corr.1) I made proposals for reducing it, and some progress was achieved. More needs to be done, however. It is now more vital than ever to ensure that the Secretariat provides information in a strategic and creative manner that meets the true demand for knowledge about the work of the United Nations. On this issue, I would like to build on proposals contained in the report entitled "Investing in the United Nations: for a stronger Organization worldwide" (A/60/692), with the following suggestions:

30. In addition to the comprehensive annual report that includes financial and programme information, proposed in that report, there could be consolidated analytical reports on core areas of work and major policy issues, instead of separate reports on individual agenda items. A set of core policy reports on each of the Organization's priority areas could be prepared biannually. More concise supplementary reports on country or regional situations or on specific issues could be provided as necessary, or in response to specific requests. Issues relating to the work of United Nations agencies or programmes outside the Secretariat could be simply referred to in those core policy reports and remitted to the appropriate documentation from those agencies. This would provide more strategic and broad-based information to Member States on the major issues of the day within thematic

areas, while helping to reduce the volume of documents prepared and processed by the Organization and to improve the quality of its work.

31. A large share of documentation comes from Member States, reporting on their fulfilment of their treaty obligations. This produces a larger volume of information to be considered and places an enormous burden on translation services. Firm page limits should be set for national submissions and communications, and where submissions exceed these limits, they should be returned with a request to bring them within the mandated lengths. Furthermore, subsidiary bodies, especially the subsidiary machinery of the Economic and Social Council, should provide reports in a standard format for ease of reading and finding information. Member States may wish to reconsider for how many meetings they wish the Secretariat to provide verbatim records. One suggestion is that verbatim records should be provided only for plenary meetings of the Security Council, the general debate in the General Assembly, high-level and special meetings, and meetings at which resolutions and decisions are considered. For other meetings, summary records could be provided. The Secretariat may make further suggestions on these issues in due course.

Improved mandate implementation through strategic evaluation

32. In considering their review of mandates, Member States have enquired about the availability of information necessary for conducting the review. They have indicated that receiving a list of mandates, while useful for viewing the totality of what they have requested, does not by itself provide a sufficient basis for deciding whether a mandate should be continued, whether it has outlived its usefulness, or whether it should be strengthened, changed or consolidated.

33. As I have already pointed out in the management reform report "Investing in the United Nations", good management by the Secretariat will depend on effective governance by the Member States. This requires that the principal organs have a clear and complete picture of what the United Nations does, particularly when they consider adopting or renewing a resolution, whether the newly mandated programme will complement and build on the existing programmes and activities under way, and how it can contribute to the overall goals of the Organization. The current process, which does not allow the intergovernmental organs to follow at all easily how their mandates are implemented, or to understand the strategic picture, makes it more likely that they will adopt duplicative resolutions. The information they need should be built into the cycle of mandate adoption, implementation and renewal. This would enable Member States, as custodians of mandates, to exercise better oversight of their implementation.

34. The ability of the Secretariat to deliver strategic and comprehensive monitoring and evaluative information on mandated programmes will depend on the resources provided, and on the interface with Member States. Despite several resolutions in which the General Assembly requested evaluation,[10] the effectiveness of such tools has been severely limited by lack of resources. In the biennium 2004-2005, not more than 0.35 per cent of the regular budget was applied to monitoring and evaluation, compared to the standard of at least 2 to 3 per cent in other large organizations.

[10] See resolutions 37/234, 48/218 B, 53/207, 58/269 and 59/275, inter alia, in which the General Assembly requested a strengthened evaluation capacity.

35. This has resulted in evaluations of limited scope and depth, and too few of them. As I mentioned in my report on management reform, such information is not sufficiently available even to the technical committees charged with tackling the details of performance and budgeting. The programme performance report of the Office of Internal Oversight Services, issued at the end of each biennium, gives some indication of how mandates have been implemented, but its analyses are not rigorously validated by an independent and objective evaluative process. Furthermore, the information currently available is not sufficiently analytical to allow Member States to make decisions about how effective the mandates were in meeting objectives and whether to renew, continue, eliminate or change them. The reforms proposed in "Investing in the United Nations: for a stronger Organization worldwide", if acted upon, will go a long way to improving both implementation and transparency.

36. While the budgeting process allows low-priority and obsolete activities to be identified for discontinuance, by means of the regulations and rules governing programme planning, the budget, and monitoring and evaluation,[11] and some changes in programme support, that process has not resulted in adequate availability and use of information and analysis of the overall effectiveness of mandated programmes. A thorough review of mandates, followed by strategic decisions based on their effectiveness and on Member State priorities, must necessarily be carried out by those who have the authority to strengthen, eliminate, change or renew existing mandates. As most Member States have indicated, those decisions cannot be made by technical committees, but only by the intergovernmental organs from which the mandates originated.

37. For those organs to review and make strategic decisions on their mandates, I propose that the Secretariat provide information about the proposed mandates contained in a draft resolution, in the same way that it provides budget implications during consideration of a draft resolution. This information could include (a) the status of implementation and evaluation of outcomes of previous mandates that address the same issue; (b) how the proposed mandate will complement or supplement existing structures, conferences, reports and activities; and (c) how the mandate might serve the overall goals of the Organization.

38. One useful outcome from the preparation of this analysis has been the development of the online registry of mandates, which will enable Member States to locate, view and compare the mandates they have adopted. As a first step, Member States could also use the registry as a simple monitoring tool to inform themselves of the basic status of the implementation of their mandates, as has been requested by several delegations. To facilitate this, I will ask my programme managers to indicate in the registry on a regular basis whether a mandate has been implemented or is currently being implemented. Since the online registry has already been developed as a companion to this report, this extra step will involve few additional costs beyond regular maintenance, updates and expansion if requested. The registry is at least a starting point for the provision of information on mandates to Member States, and could later be integrated with other management information systems.

[11] These regulations and rules are laid out in Secretary-General's bulletin ST/SGB/2000/8 of 19 April 2000, on the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation.

39. Further, the problem of inadequate provision of rigorous and regular evaluation of performance and outcomes has been raised for several years. I hope that with a renewed emphasis on making this Organization more effective, the Member States will take early and decisive action on any recommendations to strengthen evaluation functions, including those that may be proposed in the comprehensive review of governance and evaluation of oversight.

Establishing strategic direction for mandates

40. To ensure proper fulfilment of their directives Member States should, when adopting resolutions, consider specifying clear objectives that they wish a mandate to achieve.

41. In recent years, Member States have in some cases begun to specify which entity should be responsible for implementing a given mandate or, in other cases, indicate that "all relevant entities" should implement a mandate. This has contributed to the unwieldy architecture and unclear division of labour between the various entities and departments. To ensure greater accountability and improve coordination of implementation, the Secretary-General should determine which entity or department is the most competent to be the lead agency for implementing the mandate. This could help to reduce overlap, and ensure that Member States' priorities are implemented by the department with the appropriate capacity and competence.

42. To address the current problem, I will further support Member States in their efforts to rationalize mandates in various issue areas, by providing analysis and possible options for consideration. These suggestions will also be submitted for the consideration of the High-level Panel on System-wide Coherence, which I have recently established in response to the invitation in the Summit Outcome to "launch work to further strengthen the management and coordination of United Nations operational activities."[12] At a later stage, the Secretariat must also be ready to facilitate a review of mandates emanating from subsidiary organs, should Member States decide to further expand the mandate review exercise.

43. Finally, Member States may wish to better coordinate their consideration of resolutions in different organs, to reduce, where possible, the risk of inconsistency and overlap in the mandates they adopt. They may wish to initiate a process to consider more fully which intergovernmental organ should be the primary forum for the consideration of certain items, and ways to improve coordination between the principal organs on those issues that are of concern to all organs. In the first instance, this should involve coordinating and consolidating consideration of resolutions on similar issues within the same organ, though attention should also be given to reconciling consideration of resolutions with subsidiary organs, and with other principal organs. A few areas where this problem arises are highlighted in this report.

44. These are only the first steps to improving the mandate generation cycle. They will be complemented by the comprehensive review of governance, by the efforts under way to revitalize the General Assembly and to enhance the role of the Economic and Social Council, and by decisions to provide Member States with

[12] See resolution 60/1, para. 169.

better tools for exercising their governance responsibilities, giving strategic guidance on the work of the Organization, and interacting with the Secretariat.

IV. Analysis by programme priorities

A. Maintenance of international peace and security

45. The Charter of the United Nations was signed with the specific purpose of seeking to save succeeding generations from the scourge of war. Throughout its history, the United Nations has had to confront new and ever-changing threats to international peace and security. Despite their efforts, the founders of the United Nations could not fully anticipate the range and complexity of the challenges that have arisen and evolved. The task of the United Nations is tremendous. Today, the mandates emanating from the competent principal organs range from the provision of good offices to operational prevention, peacekeeping, peacebuilding and enforcement. Mandates have resulted in the current deployment of more than 70,000 uniformed personnel and some 15,000 civilian staff in 15 peacekeeping operations, in addition to some 30 special political missions around the globe.

46. The Charter charges the Security Council with "primary responsibility for the maintenance of international peace and security". The Economic and Social Council also considers issues such as post-conflict reconstruction in specific situations in Africa. The General Assembly, which under the Charter may discuss any issue, also considers a number of items in this area. The principal organs have in turn established a number of subsidiary organs, which have also contributed mandates in areas such as peacekeeping and decolonization.

47. This emerging overlap between organs has at times led to bureaucratic tension. However, the recent establishment of the Peacebuilding Commission has great potential to harmonize strategies and establish a clearer division of labour for the peacebuilding activities of the United Nations system.

48. Despite the politically sensitive issues in the area of peace and security, I believe that there is room for updating and strengthening the work of the Organization.

Reporting requirements

49. Section II of this report examined reporting and documentation issues. But some specific challenges posed by reporting requirements in the area of peace and security are worth noting here.

50. As issues move from crisis-driven to more stable situations, and States make the transition from conflict to peace, it is no longer necessary to make such frequent reports. Therefore, I suggest that some of the reports requested by the Security Council be issued on a half-yearly rather than a quarterly basis. One example of a situation that could be handled in this way is Guinea-Bissau. Others, such as the report on the item "Zone of peace and cooperation in the South Atlantic", should be

issued only when there is something new to bring to the attention of Member States.[13]

51. Occasionally, more than one organ will ask for the preparation of reports on different aspects of the same issue. For example, reports on the status of women, including with regard to international peace and security, are prepared under separate mandates from the General Assembly, the Economic and Social Council and the Security Council, as examined in detail later in this report. Consolidating those partial reports into a single comprehensive report that would cover as many aspects of the issue as possible would give Member States a more complete picture and enable all organs concerned to take more effective action. If Member States agree, the Secretariat can begin providing such consolidated issue reports in 2006.

Overlap between and within organs

52. Historically, in response to political events and developments in the relations between and among States, Member States have considered and adopted resolutions to take action to address a particular situation. While the urgency of the issue may justify the special focus placed on it at the time, subsequent developments over time may warrant revisiting whether the issue still requires the same level of attention. Member States sometimes continue to renew and reissue on a regular basis the same mandates for addressing that situation, resulting in continued requests for reports or the organization of events and other activities, even if the situation on the ground may no longer warrant that level of activity. It may be advisable that Member States ask the Secretariat to reduce the volume and frequency of reports and other activities as a political situation improves, or consolidate reports and activities on that issue with others that are similar. Examples of such related issues are those of decolonization and non-self-governing territories, which currently give rise to several resolutions each year. Resolutions on these issues and their mandates could be regrouped together in an acceptable way, without affecting the substance.

53. Furthermore, several resolutions are adopted year after year with few or no changes in their content or mandates, very little debate, and reporting requirements that do not give Member States any new substantive information. Member States may wish to re-examine the frequency with which they consider and renew those resolutions. For example, the annual resolution on the item "Effects of atomic radiation", could be considered on a biennial basis, and biennial resolutions such as that on the item "Support by the United Nations system of the efforts of Governments to promote and consolidate new or restored democracies" could be triennialized.

54. Meanwhile, mandates requesting redundant and overlapping activities sometimes result from legislative action in more than one organ or their subsidiaries. Examples include the reports on Western Sahara submitted to the Security Council, the General Assembly and the Special Committee on

[13] The Security Council requests a report on the situation in Guinea-Bissau every three months and this was renewed in resolution 1580 (2004) of 22 December 2004. The mandate for this issue originated in resolution 1216 (1998) of 21 December 1998. The General Assembly requests a report on the zone of peace and cooperation in South Atlantic every two years and the mandate for that report originated in resolution 41/11 of 27 October 1986 and was recently renewed in resolution 58/10.

decolonization of the Assembly.[14] While the issue may need to remain on each organ, because its approach to the situation in question is different, reporting on the issue could still be consolidated so that all relevant bodies receive the same report, rather than separate reports for each one of them. In the case of Western Sahara, the reports to the General Assembly and the Special Committee summarize what has been included in the relevant reports to the Security Council. It would surely be preferable to communicate these reports directly to all three bodies.

55. Similarly, the Committee on Information holds a two-week annual session to discuss the item "Questions relating to information" and to adopt a draft resolution which is forwarded to the Special Political and Decolonization Committee (Fourth Committee). The latter meets within six months to discuss the draft resolution and a report submitted by the Secretary-General covering the same issues reviewed earlier by the Committee on Information, and holds a general debate. Therefore, Member States may wish to consider forgoing this report, shortening the debate, and limiting the Fourth Committee's consideration of the item to the adoption of the draft resolution. Likewise, consideration may be given to reducing the number of reports requested by the Committee on Information to a maximum of three, which would cluster all requested information. In line with the programme budget, Member States may also wish to consider the resolution on questions relating to information only on a biennial basis.

Institutional architecture for implementation

56. The recent addition of the Peacebuilding Commission to the institutional machinery of the United Nations should also lead to a review of existing subsidiary machinery, mandates and activities in the areas it will cover, which include development as well as peace and security.[15] The General Assembly, the Security Council and the Economic and Social Council have all adopted mandates on peacebuilding activities, on issues ranging from support for democratic institutions and elections to broader capacity-building and technical assistance. The Peacebuilding Commission is intended to improve the coherence of present and future efforts in these areas, and Member States are encouraged to take it into account when adopting future mandates on peacebuilding efforts in selected countries. While the exact role of the Commission, its agenda, procedures and interaction with the principal intergovernmental organs and other entities of the United Nations system remain to be established in practice, Member States may wish to initiate immediately a review of operational mandates already issued by the principal organs for those countries to be considered by the Peacebuilding Commission, so as to rationalize all mandates relevant to each one of those countries into one common country strategy.

[14] The General Assembly annually adopts a resolution requesting two reports on this issue: the report of the Secretary-General on the question of Western Sahara and the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. The mandate originated at the thirty-eighth session and was renewed by resolution 59/131. The Security Council requests the report of the Secretary-General on the situation concerning Western Sahara twice a year (originating in resolution 690 (1991) and most recently renewed in resolution 1634 (2005)).

[15] The Peacebuilding Commission was established by the 2005 World Summit (resolution 60/1, paras. 97-105) to "bring together all relevant actors to marshal resources and to advise on and propose integrated strategies for post-conflict peacebuilding and recovery".

57. As a rule, peacekeeping mandates are reviewed at least once a year, and this has helped to guarantee their continuing relevance. For some older missions, however, while the conflict with which they are associated may still be politically sensitive, and hence, their mandates are still politically relevant, it may be appropriate to review their size and capacity, while redoubling efforts to seeking a resolution of the underlying conflict.

Mandates and resources

58. Lack of adequate resources to implement peacekeeping mandates, as well as other mandates related to peace and security, is a matter that I have raised several times. It continues to be urgent. While an important political point may be made, and a departure from conflict may be signalled, by a Security Council resolution establishing a peacekeeping mission, if the necessary specialized troops and equipment are not forthcoming, the results will certainly fall short of expectations. Close coordination between the mandating authority and the actual or potential contributors is also important. We are still struggling to reach the authorized troop levels for several current peacekeeping missions, including MONUC in the Democratic Republic of the Congo.[16] This type of situation should be addressed as a matter of urgency. The pool of contributors should be expanded to include virtually all Member States, thus proving in practice the universal commitment to and responsibility for United Nations peacekeeping.

59. Further efforts are needed to implement relevant proposals made by the Panel on United Nations Peace Operations,[17] the Special Committee on Peacekeeping Operations, and the world leaders at the 2005 World Summit.

60. Resources are also often lacking for the implementation of "thematic mandates", which entail no specific action in connection to any one peacekeeping operation, but are supposed to be applicable in all of them. Such mandates as enhancing African peacekeeping capacities, or increasing cooperation between the United Nations and regional organizations or arrangements such as the European Union or NATO, must be resourced if they are to have any real long-term impact. Special political or other missions that are established outside regular or peacekeeping budgetary processes are often serviced from within existing resources, placing an additional strain on the limited available capacity.

61. I therefore urge Member States to consider ways to better match requirements with resources, so as to help ensure that all present and future mandates can be implemented effectively. Furthermore, additional spare capacity, especially for peacekeeping and special political missions, must be built into the system, if the Secretariat is to continue to be asked to take up, often at very short notice, special assignments of a sensitive and urgent nature.

[16] See Security Council resolutions 1565 (2004) and 1635 (2005) which mandated troop levels for MONUC.

[17] Recommendations on improving peacekeeping operations are contained in the report of the Panel ("Brahimi report") (A/55/305-S/2000/809 of 21 August 2000); subsequently, the Security Council adopted resolution 1327 (2000) on the implementation of the report.

B. Promotion of sustained growth and sustainable development

62. Although the United Nations receives more public and media attention for its efforts in peace and security, its contributions to ideas, policy analysis and policymaking in the economic, social and environment arena stand out as among its more important achievements. The review of mandates in this broad area of activities should contribute to a more unified and coherent approach by the United Nations to the follow-up of the internationally agreed development goals, as they have emerged from the conferences and summits, including the Millennium Development Goals. While the High-level Panel on System-wide Coherence will look into how to enhance the effectiveness of the work of the United Nations in development, particularly on the ground, the review of mandates can provide tools for Member States to consider ways to further rationalize the consideration of issues within the principal organs, and improve the division of labour among them, so as to maximize policy relevance and impact.

Overlap among organs

63. The General Assembly and the Economic and Social Council have adopted a large number of resolutions on economic and social development. In recent years, to a lesser extent, the Security Council has adopted resolutions in addressing some of these issues in the context of peacekeeping and peacebuilding. In addition to the principal organs, subsidiary bodies such as the regional and functional commissions, and the governing boards of funds and programmes, all set priorities and issue mandates. Treaty bodies further contribute to the instructions received by the various departments and entities in these areas. Mandates stemming from those bodies are not pertinent to the scope of the review of mandates, as called for in the Summit Outcome. However, they significantly contribute to setting priorities and activities for development.

64. The United Nations has a record of moving boldly beyond conventional wisdom with alternative thinking and policy proposals. This reflects its multidisciplinary and multisectoral structure in economic and social intergovernmental bodies. Global conferences and treaties have had a significant influence on national and international action by setting goals and benchmarks that have influenced many national policies. As countries develop and implement national development strategies to follow up global intergovernmental agreements, there is a need to help galvanize the necessary support, encourage stronger cooperation, including South-South cooperation, monitor progress and provide policy advice. An improved division of labour among the relevant intergovernmental bodies appears increasingly necessary to effectively carry out these tasks.

65. The most appropriate intergovernmental forum for the consideration of different issues and the exercise of different functions in the economic and social area should be reviewed in this perspective, taking into account core competencies, comparative advantage, and responsibilities as designated in the Charter. The central role of the Economic and Social Council was reaffirmed at the 2005 World Summit,[18] and it is my hope that through the ongoing reform process the Council

[18] See resolution 60/1, para. 155.

will be successful in strengthening its role in coordination of economic and social development issues, including coordination of its subsidiary machinery.

66. A review of the work of the Economic and Social Council in substantively reviewing, guiding and monitoring the work of its functional machinery, as well as the operational funds and programmes, reveals a need for an enhanced role of the Council. For example, the Economic and Social Council was mandated by General Assembly resolution 48/162, inter alia, to review and evaluate the work of the development funds and programmes; to review the operationally relevant recommendations of the subsidiary bodies; and to monitor the division of labour and the cooperation within the bodies of the United Nations system. Resolutions 50/227 and 57/270 B have given additional coordination mandates to the Council. However, the Economic and Social Council currently does not have an effective overview of the specific mandates which are being created in the Executive Boards of the funds and programmes. Moreover, the Council has no effective overview of the work of the Secretariat and other United Nations entities, which is reviewed only partially and by sector in the commissions of the Council. In the absence of such overviews, the respective roles and work programmes of the various entities often result in some degree of overlap and blurring.

Institutional architecture for implementation

67. Despite institutional mechanisms in place both across entities and across departments to ensure unity of action,[19] the wide array of mandates issued by various intergovernmental organs in this field has led to a very dispersed architecture and overlapping functions. While different perspectives are desirable, as for example those stemming from different regional realities, duplication should be eliminated to maximize the use of resources and their impact on the ground.

68. In the area of trade, for example, several United Nations entities perform a myriad of functions. While the United Nations Conference on Trade and Development (UNCTAD) has the lead role in many of these areas,[20] the regional commissions and other entities, including the International Trade Centre, make important contributions. There is significant room for an improved division of responsibility in the analytical work between the Department of Economic and Social Affairs, UNCTAD, the regional commissions, the United Nations Development Programme (UNDP) and other funds and programmes, particularly in this area.

69. Likewise, in other macroeconomic areas and finance, there is a need to ensure synergies of work, both between United Nations entities and with the Bretton Woods institutions. While a good start has been made with the flagship publication *World Economic Situation and Prospects*, which brings together the Department of Economic and Social Affairs, UNCTAD and the regional commissions, greater

[19] These coordination mechanisms include the Secretary-General's Policy Committee, the United Nations Development Group, the Chief Executives Board for Coordination, the Executive Committees on Economic and Social Affairs, Humanitarian Affairs, and Peace and Security, and the Senior Management Group.

[20] See resolution 1995 (XIX) of 30 December 1964, by which UNCTAD was established as an organ of the General Assembly, and resolution 59/221, in which the Assembly most recently reaffirmed the primary responsibility of UNCTAD in the United Nations system for trade and development.

efforts need to be made for a unified view on the world economic outlook and macroeconomic policy implications. Rationalization of functions in the area of finance is therefore needed; the arrangements and work in this area need to be redefined, in particular between the Department of Economic and Social Affairs and UNCTAD, to ensure the most effective follow-up to the outcomes of the Monterrey Conference.

70. Other areas that may require attention to possible overlaps and redundancy are sustainable development and human settlements. The Department of Economic and Social Affairs, the United Nations Environment Programme (UNEP), UN-Habitat, UNDP, as well as the regional commissions and the Convention secretariats are all involved in various activities in the area of sustainable development. In the environmental area in particular, world leaders at the Summit of September 2005 recognized the need for a more efficient architecture for activities and called for "a more coherent institutional framework to address this need".[21] In this regard, a consultative process has been set up in the General Assembly. In the coming months, the General Assembly will explore the institutional architecture for the activities of the United Nations system in this field. The High-level Panel on System-wide Coherence will further look into the field of environmental activities to make complementary proposals on the interconnected areas of development, humanitarian affairs and the environment. The review overall in the area of sustainable development has to be a longer-term process which feeds into and builds on these processes.

71. Similarly, a variety of arms of the United Nations have been mandated to carry out activities in the area related to population issues. From the Summit Outcome and other mandates stemming from the General Assembly, as well as the Economic and Social Council and the Commission on Population and Development, areas of priority for the years ahead have been identified in migration issues, HIV/AIDS, reproductive health and population ageing. Where overlap exists in the work of the Secretariat, funds and programmes, a sharper division of labour, consolidation of capacities and a strategic reprioritization of work should be sought.

72. Each discrete issue area has a specific set of concerns and a unique legislative history. For example, the level at which the different kinds of mandates are implemented is one consideration that deserves attention. In reviewing mandates, Member States should see whether a mandate deserves continued consideration and, if so, whether the main focus should appropriately be at the global, regional or subregional level. In my report on implementing the decisions of the 2005 World Summit, I requested that, in order to address the range of important recommendations related to economic and social development, all relevant United Nations entities, including the regional commissions, review their priorities and programmes in the light of the Summit Outcome.[22] The Executive Committee on Economic and Social Affairs and the United Nations Development Group have been coordinating this exercise using, within the Executive Committee on Economic and

[21] See resolution 60/1, para. 169.

[22] Report of the Secretary-General on the implementation of decisions from the 2005 World Summit Outcome (A/60/430), paras. 3 and 9.

Social Affairs, an analytical framework based on 11 thematic clusters.[23] Member States may see some merit in using this framework when considering the different mandates of the various issue areas.

73. Networks of relevant departments and entities have already been established within the context of the Executive Committee on Economic and Social Affairs to carry out the review of programmes and priorities. I will request the heads of relevant departments and entities to also help analyse mandates and provide options for possible programmatic shifts in different areas and, where appropriate, for consideration by the High-Level Panel on System-wide Coherence. In the long run, Member States may wish to request a broader analysis of mandates, building on the current mandate review exercise, by incorporating mandates originating from the subsidiary machinery, as this will be necessary to look into the work of the various funds and programmes.

Reporting requirements

74. An improved architecture for the overall reporting on the follow-up to the Millennium Declaration is needed to strengthen the policy relevance of the General Assembly and avoid redundancies, and for a major reduction in the number of reports and volume of documentation requested every year. The Economic and Social Council should draw more efficiently from the reporting work of its functional commissions. The General Assembly should build on the work of the Economic and Social Council, given the overlap between issues considered by the Second and Third Committees and, for example, the Commission on the Status of Women and the Commission on Social Development. While reporting requirements on gender issues are addressed in section V of this report, it is worthwhile noting here that preliminary steps could be taken to streamline reporting requirements in the area of social development. These could include the immediate consolidation or transfer of various reports.

75. Reporting requirements under the three Third Committee agenda items on social development[24] could be met through a consolidated report on social development. That report could incorporate relevant policy issues arising from the Commission on Social Development and the Economic and Social Council, including issues relating to the follow-up to the Social Summit. To obviate the need for additional separate reporting on social groups such as youth and the elderly, the Third Committee could be referred to the separate reports that are prepared for the Commission. The proposed integrated report on social development could be submitted to the Assembly every other year, as a main basis for the Assembly's consideration of social development, with the biennial flagship publication *Report on the World Social Situation*. For a more specific geographical scope, reference could be made to the social assessments currently prepared by regional commissions

[23] The thematic clusters relate to macroeconomics and finance, trade, sustainable development and human settlements, social development and social integration, advancement of women, countries in special situations, governance and institution-building, science and technology, human rights, statistics, and population.

[24] The three items are "Implementation of the outcome of the World Summit for Social Development and the twenty-fourth special session of the General Assembly", "Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family", and "Follow-up to the International Year of Older Persons: Second World Assembly on Ageing".

and presented to their own intergovernmental regional bodies. This new type of reporting would enable the General Assembly to take a more integrated view of social development.

76. Other examples of reports that could be consolidated or transferred to optimize the quality and impact of reporting include the report on solar energy,[25] which could be merged with the report on the review of policy options on energy for sustainable development.[26] Reporting on the United Nations Public-Private Alliance for Rural Development[27] could be entrusted directly to the United Nations country team in the pilot countries and submitted to the Economic and Social Council through the relevant regional commissions. The report on unilateral economic measures as a means of political and economic coercion against developing countries[28] prepared by the Department of Economic and Social Affairs could be consolidated with the report prepared by the Department of Political Affairs on the elimination of unilateral extraterritorial coercive measures as a means of political and economic compulsion.[29] The responsibility for issuing the Consolidated List of Products Whose Consumption and/or Sale Have Been Banned, Withdrawn, Severely Restricted or Not Approved by Governments,[30] and the report on products harmful to health and the environment,[31] currently with the Department of Economic and Social Affairs, could be transferred to UNEP and the World Health Organization, which possess substantive expertise on chemicals and pharmaceuticals.

77. Further, information and communication technology, such as interactive websites or web-based forums, could be used to respond to specific public dissemination and knowledge-sharing mandates, thus allowing the replacement of certain reports, documents or other activities — like expert group meetings — that could therefore be discontinued.

Mandates and resources

78. Over the decades, the priorities in development have had pendulum swings in approaches, with certain viewpoints dominating the policymaking establishment. The prevailing trends have governed the direction of approaches. The entities have oriented their work in responding to these imperatives with decisions often based on the promise of funding. When examining mandates in the area of development across the United Nations system, Member States should give serious consideration to the fact that duplication and overlaps can occur because of the nature of funding and the increasing role of special-purpose grants and non-core funding.

79. In order to improve the allocation of resources within the United Nations and to ensure a more cohesive management of funding, consideration could be given, for example, to the regular programme of technical cooperation. The programme

[25] Mandated by resolution 56/200, and most recently reaffirmed in resolution 60/199.

[26] Mandated by Economic and Social Council resolution 2003/61, and most recently reaffirmed in Council resolution 2005/229.

[27] Mandated by Economic and Social Council resolution 2004/49, and most recently reaffirmed in Council resolution 2005/42.

[28] Mandated by resolution 38/197, and most recently reaffirmed in resolution 60/185.

[29] Mandated by resolution 51/22, and most recently reaffirmed in resolution 57/5.

[30] Mandated by resolution 37/137, and most recently reaffirmed in Economic and Social Council resolution 2004/55.

[31] Mandated by resolution 39/229, and most recently reaffirmed in Economic and Social Council resolution 2004/55.

provides funds in each biennium budget for technical assistance activities and complements assistance to developing countries from other sources of funding. The General Assembly authorized the inclusion of these funds in 1946 and since then, funds for this assistance have been allocated to several departments and agencies, including the Department of Economic and Social Affairs, the Office for the Coordination of Humanitarian Affairs, UNCTAD, UN-Habitat, the Office of the United Nations High Commissioner for Human Rights and the United Nations Office on Drugs and Crime, and each of the regional commissions. The programme also provides advisory services, field programmes, and training in a decentralized way, for example to regional commissions, which ensures ownership by Member States and a close relationship among the technical cooperation provided, the country requirements and the exchange of best practices. Member States may wish to see whether the regular programme of technical cooperation might benefit from being reported by one programme manager while maintaining its decentralized implementation. This would be in line with the nature of the programme, which entails a close relationship between the provision of technical cooperation by departments and agencies with the demands and emerging needs of Member States at the regional and national levels.

80. Meanwhile, to maximize the use of existing resources, savings which could accrue from more efficient management of the common support services dedicated to intergovernmental processes related to economic and social issues could be allocated for high-priority activities in the area of development. For example, the United Nations regularly has close to 100 international days or years of observance on its calendar, to mark special occasions or to raise awareness about issues of international significance. A relevant number of these observances refer to social and economic issues.[32] The large number of observances dilutes their significance, forces the United Nations to choose which to celebrate, and makes the Organization vulnerable to the criticism that it wastes resources on programmes that have no real impact on people's lives.[33] Therefore I suggest that the General Assembly review these observances, decide on a process to guide which of them should be commemorated each year and make better use of resources dedicated to these commemorations.

C. Development of Africa

81. Over the years, the United Nations has taken several initiatives with regard to the special needs of Africa, including in support of African development and in the promotion of peace and security. Since the adoption of the New Partnership for Africa's Development (NEPAD) by African leaders in 2002, the international community's multiple approaches have coalesced around a specifically Africa-defined and Africa-driven approach. The resolutions and decisions of the principal organs of the United Nations have reflected the international community's deep

[32] Other observances relate mostly to human rights issues.

[33] In response to the proliferation of such observances, the General Assembly on 17 December 1973 adopted resolution 3170 (XXVIII), entitled "International years and anniversaries", in which it decided to instruct its subsidiary bodies to propose the designation of international years only on the most important occasions and, where possible, to propose instead celebrations of brief duration. Nonetheless, the majority of current observances have been added in the period since the adoption of that resolution.

concern for the situation in Africa, and have generated mandates which are being implemented by a large number of United Nations entities. Despite the large number of activities being carried out to implement these mandates, however, there has been a clear mismatch between the mandates and their actual impact on the ground.

Overlap among organs

82. There is an overlap and duplication of mandates in issue areas regarding Africa. This could be explained in part by the particular challenges of peace, security and development facing the continent, and the legitimate concern of the international community. Almost all United Nations global conferences in the 1990s produced outcomes with special sections on Africa in recognition of those concerns, which led to the creation of mandates and activities by various agencies, departments and offices.

83. In examining the active mandates relating to Africa, I would suggest that a sound guiding principle would be the need to concentrate African and international efforts on the implementation of NEPAD, and on sustained support for the African Union. In order to deal effectively with issues relevant to Africa in an integrated and comprehensive way, the problem of duplication and overlap in the work of the principal organs should be addressed through improved collaboration mechanisms between those bodies. Moreover, it may now be appropriate to review all pre-NEPAD mandates with a view to making appropriate recommendations to Member States on streamlining them in the context of NEPAD, and of the priorities identified by the African Union.

84. The mandate review process should clarify the division of labour between the principal organs; include mandates from the subsidiary bodies of the Economic and Social Council, from UNCTAD and the Trade and Development Board; help to shift United Nations activities towards a more robust action orientation; and define the appropriate level for the implementation of specific mandates. The process should be assisted by those Secretariat entities directly supporting African development. It is vital to point out that, in the case of subsidiary bodies dealing with operational activities, achieving the Millennium Development Goals in Africa should be the highest priority, given the risk facing many African countries of falling behind in this area.

Architecture for implementation

85. Greater efforts need to be made to improve the coherence and coordination of the work of the large number of United Nations entities supporting the development objectives of Africa. Prominent among these are the Economic Commission for Africa (ECA), UNDP, the Office of the Special Adviser on Africa, UNCTAD, the Department of Political Affairs, the Department of Peacekeeping Operations, the Department of Economic and Social Affairs, and the Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing Countries, as well as other agencies, funds and programmes.

86. As the focal point in the United Nations system for promoting international support for NEPAD, the Office of the Special Adviser on Africa has an important role to play in helping the General Assembly to revisit its mandates relating to Africa. While carrying out the mandate review exercise, it will be vital for Member

States to ensure that the mandates of all entities in place to address the special needs of Africa, in particular the mandates of ECA, are streamlined and fully oriented towards supporting the priorities and needs of the African Union and NEPAD.

Reporting requirements

87. As part of the process of reviewing mandates on different issue areas pertaining to Africa, there should also be a review and streamlining of the subcategory of analytic reporting mandates stemming from various resolutions. This would facilitate a more coherent and efficient use of the system's analytical capabilities, and could release resources for achieving improved results on the ground. In undertaking such a review, it would be helpful to make a distinction between reports submitted periodically to intergovernmental bodies in the exercise of their deliberative and monitoring functions on support being provided to Africa by individual agencies or organizations, and policy analytical reports that are initiated by various entities or requested by intergovernmental bodies themselves. Examples of the first kind of report could be found in the annual report to the Committee for Programme and Coordination on United Nations system support for NEPAD[34] and the two reports delivered regularly to the General Assembly by the Office of the Special Adviser on Africa, namely the report of the Secretary-General on the New Partnership for Africa's Development: progress in implementation and international support[35] and the report of the Secretary-General on the implementation of recommendations contained in the report of the Secretary-General on the causes of conflict and the promotion of durable peace and sustainable development in Africa.[36] The review proposed here refers to the second category, that is, reports which deal with more generic thematic issues such as trade, governance, private sector development and the like.

D. Promotion of human rights

88. The human rights machinery of the United Nations, through the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the treaty body system, has helped Member States to meet their obligations to international norms and standards. To improve and strengthen this machinery, the Member States agreed in the World Summit Outcome to significantly bolster OHCHR and to create the Human Rights Council to replace the Commission on Human Rights.[37] With the recent establishment of the Human Rights Council, a streamlining of the various mandates is expected, as the General Assembly in the founding resolution asked the Council to "assume review and, where necessary, improve and rationalize all mandates, mechanisms, functions and responsibilities of the Commission on Human Rights, in order to maintain a system of special procedures, expert advice and complaint procedure [...] within one year after the holding of its first session".[38]

89. As the architecture of the human rights machinery is being improved by this process, Member States should conduct a thorough examination of existing

[34] Mandated by resolution 57/282, and most recently reaffirmed in resolution 59/275.
[35] Mandated by resolution 57/7, and most recently mandated by resolution 60/222.
[36] Mandated by resolution 53/92, and most recently mandated by resolution 60/223.
[37] See resolution 60/1, paras. 123, 124 and 157.
[38] See resolution 60/251, para. 6.

mandates that request reports or other forms of documentation. Reporting requirements in the area of human rights are particularly important, as they are one of the primary means through which human rights are monitored and Member States held accountable for fulfilment of their treaty obligations. Currently, however, the large volume of documentation not only overwhelms both the Secretariat and the Member States, but also obscures the issues under consideration. To ensure that these reports continue to be useful tools to allow Member States to promote and protect human rights, and to ensure that the new human rights machinery is not plagued by a similar problem, immediate action can be taken.

Reporting requirements

90. While some mandates requesting reports and other forms of documentation stem from the principal organs, most originate from the Commission on Human Rights, its subsidiary bodies, or treaty bodies. Therefore, it is necessary that the analysis in this section include mandates from subsidiary and treaty bodies, in addition to those from the principal organs.

91. As is the case with other issue areas, there is an over-proliferation of mandates requesting reports in the area of human rights. The severity of this problem can most easily be grasped by looking at the sheer volume of mandate-related documentation in this area. For example, in compliance with mandate-related reporting obligations, the Office of the High Commissioner for Human Rights prepared or submitted in 2004 over 44,000 pages of documentation in original languages. Because OHCHR services 11 reporting obligations of States parties under the 6 international human rights instruments and their optional protocols relating to the activities of treaty bodies and their complaint procedures and mechanisms, over half of these pages consisted of States parties' reports and communications to treaty bodies.

92. Given the enormous volume of documentation, the translation burden placed on the Secretariat is very heavy. In 2004, for example, over 4,000 pages of summary records for Charter-based and treaty bodies had to be translated into all official languages. Similarly, well over 1,000 pages of notes verbales (so-called "non-documents") from Governments or Permanent Missions were received by OHCHR and had to be translated into one of the three working languages of the Commission on Human Rights.

93. A number of concrete and immediate measures can be taken to reduce the excessive volume of documentation and overburdening translation requirements. First, a mandate could be issued to limit to 30 pages the length of the treaty body reports to the General Assembly or the Economic and Social Council. As for summary records, a General Assembly resolution limiting the number of languages in which they are issued could very significantly reduce the translation burden placed on the Secretariat. In addition, Governments should submit their notes verbales in one of the working languages, or attach to their notes verbales the English translation of the materials they are sending for publication.

94. There is however another important issue besides the large volume of documentation, and that is the problem of overlapping reports, which, in addition to draining staff time and resources, obscures the substantive recommendations of the reports. There are, for example, potentially overlapping reporting requirements within thematic and geographic areas. Thematic or geographic areas with the most reporting obligations pertaining to human rights include: status of treaties

(18 reporting obligations), racism (8 reporting obligations), and indigenous issues (5 reporting obligations). To address this issue, the relevant mandates should be further examined by the Member States with the aim of reducing redundancy in a balanced way that takes into account the different priorities across the membership. For example, in cases where both the Secretary-General and the High Commissioner are mandated to report on the same subject but to different organs (for example to the General Assembly, the Commission on Human Rights, the Sub-Commission, etc.), the reporting obligations could be consolidated. Similarly, in cases where both a special procedure mandate holder and the Secretariat (the Secretary-General or the High Commissioner) are mandated to report on the same subject, the reporting obligation of the Secretariat could be reconsidered, unless the Secretariat is requested to report on a particular aspect.

E. Effective coordination of humanitarian assistance efforts

95. Addressing the humanitarian consequences of today's disasters and emergencies remains a United Nations priority. The scale and magnitude of recent emergencies and disasters — in Darfur, in the Indian Ocean and in South Asia — clearly demonstrate the need for a timely and coordinated humanitarian response. Given the complexity of the United Nations humanitarian efforts, mandates in the area of humanitarian assistance cut across almost all types of United Nations activities and functions, and therefore the categories of mandates affecting the Organization's work in this area vary considerably. While some overlap in mandates among implementing entities exists, the key concern is that the principal organs often approach humanitarian assistance in a fragmented manner, which can result in implementation gaps.

Overlap among organs

96. There is a need to improve the way in which the intergovernmental machinery of the United Nations addresses humanitarian affairs. While parts of this problem are being examined in the context of the revitalization of the General Assembly, the issue deserves particular mention here because it has important implications for the way that mandates are issued. In the General Assembly, humanitarian agenda items are dispersed among the plenary and the Second and Third Committees. The plenary deals with coordination, staff security and natural disasters; the Second Committee addresses humanitarian assistance to specific countries and regions, disasters, vulnerability and risk reduction; under the purview of the Third Committee fall assistance to internally displaced persons and refugees and the new international humanitarian order.

97. The result of such fragmentation is frequent overlap between the mandates issued. Member States could take practical action to address this problem. In the coming months, and as part of their efforts to revitalize the General Assembly, Member States may wish to consider consolidating discussions on humanitarian issues in the General Assembly, and grouping humanitarian-related matters under a single "humanitarian umbrella" agenda item in the plenary, as a means of ensuring that they are better focused and more relevant. In the longer term, Member States may also wish to consider additional efforts to further improve institutional coordination and consideration of issues in this area.

Reporting requirements

98. Member States could also take quick action to focus intergovernmental reporting procedures. Intergovernmental discussions on humanitarian assistance and coordination would benefit, in this as in other areas, from fewer and more focused reports.

99. As a first step, it would be beneficial for country-specific reports to be limited to the first year following a humanitarian crisis in that country, and for the issues thereafter to be highlighted in more thematic reports, where they would benefit from intergovernmental discussions and action designed to address humanitarian response as a whole. In the longer term, reporting on humanitarian issues would better contribute to Member State decision-making and follow-up by the United Nations system if reports were more targeted and linked to specific, thematic sub-items within the humanitarian "umbrella" discussed above. For example, the report and the consideration of the resolution on "White Helmets" might be incorporated into the sub-item on coordination so as to contribute to a thematic discussion on improving standby capacity.[39] Similarly, the report and resolution on the new international humanitarian order might be folded into the coordination sub-item as part of discussions on humanitarian reform.[40]

Institutional architecture for implementation

100. There exists a division of labour relating to the disaster management cycle which may benefit from being revisited. The Emergency Relief Coordinator and the Office for the Coordination of Humanitarian Affairs have a clear mandate for disaster response (including coordination and preparedness), while responsibility for natural disaster mitigation, prevention and preparedness (with the exception of response preparedness) lies with UNDP.[41] Recent disasters have shown all too clearly, however, that there is no agreed institutional leader for early disaster recovery. To address the immediate needs of disaster management, and in accordance with the call in the Summit Outcome to support the efforts of countries to strengthen capacities to prepare and respond rapidly to natural disasters,[42] Member States should clarify and strengthen the United Nations leadership in all phases of disaster management at both Headquarters and field levels, including by considering a coherent structure for disaster assistance, and by taking into account proposals to be advanced by the High-level Panel on System-wide Coherence. In addition, the Inter-Agency Secretariat of the International Strategy for Disaster Reduction[43] should be strengthened as a means of giving more prominence and attention to disaster risk reduction and the economic and social consequences of natural disasters.

101. In the assistance to and protection of internally displaced persons multiple mandates have created a complex system which, while reflecting the concern of Member States about the issue, has not necessarily served this population well.

[39] Mandated by resolution 49/139 B, and most recently reaffirmed in resolution 58/118.

[40] Mandated by resolution 36/136, and most recently reaffirmed in resolution 59/171.

[41] See resolution 52/12 B, para. 16.

[42] See resolution 60/1, para. 169.

[43] By resolution 54/219, para. 4, the General Assembly established the Inter-Agency Secretariat of the International Strategy for Disaster Reduction to become the focal point for the promotion of the coordination of disaster reduction.

There is a mandate designating the Emergency Relief Coordinator as the system's central coordination focal point on assistance to and protection of internally displaced persons. The Emergency Relief Coordinator is supported in this task by the Inter-Agency Internal Displacement Division, within the Office for the Coordination of Humanitarian Affairs.[44] The Commission on Human Rights has also mandated responsibility for the human rights of internally displaced persons to the Representative of the Secretary-General.[45] Additional mandates request the Office of the United Nations High Commissioner for Refugees (UNHCR) to engage in issues related to internally displaced persons.[46]

102. In the context of the current humanitarian reform effort, UNHCR has been asked — and has accepted with the endorsement of all humanitarian agencies within the Inter-Agency Standing Committee — to be the United Nations agency with primary responsibility and accountability for the operational response for internally displaced persons in complex emergencies in the clusters related to protection, emergency shelter, and coordination of camp management. While this initiative has provided more clarity for the coordination arrangements in these specific operational areas, there still exists overall confusion and incoherence resulting from mandates, especially concerning country-level assistance and protection to internally displaced persons. To further improve the current reform and to reduce potential overlap and fragmentation, it would be prudent for the membership to re-examine mandates concerning internally displaced persons, with a view to clearly determining responsibility for assistance to this population, including reinforcing the role of the Emergency Relief Coordinator in coordinating country-level assistance and protection.

103. A gap also exists in addressing the needs of returnees and their repatriation and reintegration, mainly in post-conflict situations. Several mandates have been issued that recognize the role that United Nations agencies can play in facilitating assistance to and repatriation of returnees and that request UNHCR and other agencies to continue efforts to promote permanent and speedy solutions.[47] However, in terms of sustainable voluntary repatriation, the needs of returning refugees are too often not adequately addressed in the development plans of the United Nations country teams. Recent initiatives within the framework of the United Nations Development Group seek to address this problem and should be supported. The establishment of the Peacebuilding Commission may also assist in focusing attention on the transition needs of post-conflict countries, and returning refugees should benefit from this support. As the Peacebuilding Commission takes full form and decisions are taken on which country situations it will address, Member States may wish — in order to fill the gap of addressing the needs of returnees — to review the relevant mandates in relation to those countries, with the aim of ensuring coherence between the actions of the Peacebuilding Commission, UNHCR and related entities.

[44] See A/51/950, para. 186, in conjunction with resolution 46/182. See also resolution 56/164, para. 12.

[45] See E/CN.4/1992/23.

[46] See, for example, resolution 48/116, para. 14.

[47] See, for example, resolution 55/74, para. 16.

Mandates and resources

104. In some areas, while mandates strengthening humanitarian activities have been adopted, some of those commitments have not been followed up and supported by adequate and predictable funding. For example, though strengthening the effectiveness of United Nations humanitarian response is a stated aim of the 2005 Summit Outcome,[48] the Office for the Coordination of Humanitarian Affairs still cannot rely on predictable resources for some of its activities, and the Inter-Agency Secretariat of the International Strategy for Disaster Reduction relies entirely on voluntary contributions. The recent upgrading of the Central Emergency Response Fund[49] is a good step in the right direction, since it should ensure that resources are made available in the initial phases of a humanitarian crisis, once a disaster strikes. However such funds are not a substitute for the adequate and predictable support which is needed in all areas of disaster management. It may therefore be important for Member States to consider improving the predictability of funding, in order to strengthen risk reduction activities.

F. Promotion of justice and international law

105. Throughout its history, despite many challenges and setbacks, the United Nations has fostered improved standards of justice and law. In the 2005 World Summit Outcome, Heads of State and Government reaffirmed their commitment to an international order based on the rule of law,[50] which is essential for peaceful coexistence and cooperation among States. The Organization must continue to demonstrate its ability to promote effectively the interlinked goals of justice and international legal order.

106. The Charter of the United Nations assigns special responsibility for the development of international law to the General Assembly.[51] This responsibility is exercised in various ways, including through the Sixth Committee of the Assembly, the International Law Commission, and international conferences that are held to formulate treaties on specific issues. The Office of Legal Affairs plays a key role in supporting the Organization's legal work and providing legal advice to United Nations organs, entities and Secretariat departments on a wide range of questions of public international law, private law and the law of the Organization. Its mandates have expanded greatly in scope and intricacy, either because of the expanded jurisdiction of United Nations organs or entities the Office services, or because the spectrum of legal issues they deal with has increased. This has stretched the capacity of the Office to respond effectively and efficiently to Member States. In addition, the growing focus by the United Nations on questions of transitional justice and the rule of law in conflict and post-conflict societies has increased the demands on the Office.

[48] See resolution 60/1, para. 169.

[49] See resolution 60/124, para. 15.

[50] See resolution 60/1, para. 134 (a).

[51] Article 13 of the Charter specifies that the "General Assembly shall initiate studies and make recommendations for the purpose of [...] encouraging the progressive development of international law and its codification".

107. In recent years, other departments and offices, such as the Department of Peacekeeping Operations and the Department of Political Affairs, have also carried out rule-of-law activities.

Reporting requirements

108. Although the need for rationalization of reporting is more acute in other priority areas of the Organization such as peace and security, it is also a necessity in the promotion of justice and international law. There is a need to streamline, simplify and consolidate reporting obligations, or to provide reports at different intervals. Member States continue to request annual comprehensive reports on developments relating to ocean affairs and the law of the sea and periodical special reports on fisheries and other topics of current interest.[52] In 2006, for example, these topics will include four additional special reports. Member States may wish to consider the number, scope and frequency of special reports in addition to the annual comprehensive reports.

Institutional architecture for implementation

109. Creative effort is also required to reorganize the existing institutional architecture to enhance the Organization's overall effectiveness in this critical area. As noted previously, the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization has met annually since the thirtieth session.[53] It examines suggestions and proposals regarding the Charter and the strengthening of the United Nations role with regard to the maintenance and consolidation of international peace and security, and the promotion of the rules of international law. The work of the Committee has resulted in the successful negotiation of several texts on the peaceful settlement of international disputes. In recent years, however, the mandate of the Committee has been duplicated by the work of other intergovernmental bodies such as the Special Committee on Peacekeeping Operations, Security Council sanctions committees and the various processes and bodies related to United Nations reform. Therefore, Member States may wish to consider discontinuing the annual two-week deliberations of the Committee.

110. In an effort to contribute to the efficiency of the activities of United Nations organs, especially the General Assembly and its Main Committees, the Office of Legal Affairs will participate in the effort to consolidate and update the rules of procedure of the Assembly and make them available in all official languages, in print and online, as mandated in resolution 59/313 of 12 September 2005. In addition, with a view to ensuring uniform interpretation of the rules and avoid unnecessary delays in the conduct of business, I propose that the Office of Legal Affairs prepare briefing packages for the presiding officers of the organs, together with oral briefings before they take office, on the application and interpretation of the rules. I also propose making precedents and past practice available in the public

[52] See resolution 52/26, para. 11 (a) and (b).

[53] The General Assembly first established the Committee as an ad hoc committee in its resolution 3349 (XXIX) of 17 December 1974 and then, by resolution 3499 (XXX) of 15 December 1975, reconvened it annually as the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization.

domain with respect to rules and practices of the intergovernmental bodies of the Organization in conducting business, as compiled by the Secretariat.

C. Disarmament

111. Much has been achieved in the area of disarmament, especially since the end of the cold war, not least thanks to the efforts of the General Assembly and its First Committee, as well as other relevant United Nations bodies. However, the prevailing atmosphere today is one of stalemate and inaction. The failure of the Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons in May 2005 to reach consensus and the absence of a section on non-proliferation and disarmament in the 2005 World Summit Outcome, combined with the ongoing inability of the Conference on Disarmament to agree on a work programme, are causes for concern. This state of affairs is particularly unfortunate in view of the urgent need to provide mechanisms to ensure that weapons of mass destruction do not fall into the hands of terrorist or criminal elements, whose activities have visibly intensified around the world in recent years.

112. In addition to the current focus on the threat posed by weapons of mass destruction, Member States continue to pay close attention to matters relating to conventional arms. Such matters include the illicit trade in small arms and light weapons, as well as implementation of the Convention on the Prohibition of Anti-personnel Mines.

113. What is primarily needed, of course, is political will and determination to make progress on the range of major issues at hand and achieve early positive results. Streamlining the mandates in this area will not be sufficient, but it would free resources and time to deal with the issues that matter most. I therefore submit some indicative suggestions for consideration by the General Assembly.

Reporting requirements

114. A review of the numerous items and sub-items on the United Nations agenda in the area of disarmament, the resolutions adopted, and the actual impact they have on the ground suggests a disconnect between stated intentions and actual results. The added value of reporting on such items seems to be rather limited. To save time and resources, I would suggest that some General Assembly items assigned to the First Committee, on general matters of security and disarmament, which are not connected to any current situation but are rather of a thematic nature, be taken up less frequently.[54] As a result, reporting requirements could be biennialized or triennialized, following a review of their urgency and impact.

[54] Items that could be considered in this context include: "Developments in the field of information and telecommunications in the context of international security", "Role of science and technology in the context of international security and disarmament", "National legislation on transfer of arms, military equipment and dual-use goods and technology", "Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control", "Confidence-building measures in the regional and subregional context", "Conventional arms control at the regional and subregional levels", and "Strengthening of security and cooperation in the Mediterranean region". Similarly, the four sub-items dealing with the United Nations regional centres for peace and disarmament could be taken up biennially and/or the resolutions pertaining to them could be consolidated.

115. The annual item on notification of nuclear tests has become redundant since the adoption of the Comprehensive Nuclear-Test-Ban Treaty and the norms it sets against nuclear testing. In view of the lack of substantive progress for over a decade, the relevance of continuing with the item on the implementation of the Declaration of the Indian Ocean as a Zone of Peace should also be reviewed.

116. Various groups of governmental experts to conduct studies on disarmament issues have proved their value over time, including by the release of landmark reports on such issues as nuclear weapons, concepts of security, and small arms. But on some issues these mechanisms have been less successful. In the past five years, the issue of missiles in all its aspects was addressed by two panels of governmental experts, only one of which could agree on a consensus report. For the expert panel on missiles, to be established in 2007 and expected to report in 2008, efforts are now under way to produce a consultant's report to assist its work. In the light of experience with this issue, there would appear to be little point in persevering with a mandate that uses a formula that has been tried in the recent past with unsatisfactory results. In circumstances where substantive disagreement on disarmament issues remains, different ways to conduct such studies should be considered, such as convening smaller groups, using a variety of meeting formats, and contracting individual consultancies to help break deadlocks.

117. The United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) was established under Security Council resolution 1284 (1999) to verify the disarmament of Iraq of biological and chemical weapons and missiles and other means of delivery with ranges greater than 150 km, and to monitor Iraq's compliance with its obligations not to use, develop, construct or acquire such weapons. UNMOVIC is widely seen as having accumulated significant experience, including in the area of biological weapons and means of delivery, constituting expertise that does not exist elsewhere in the multilateral system. As the situation in Iraq evolves, a Security Council review of the UNMOVIC mandate may be warranted, including examination of whether and how the United Nations could utilize certain areas of the Commission's expertise such as its roster of trained technical experts.

118. The activities of the Standing Advisory Committee on Security Questions in Central Africa could also be reviewed in a similar light, taking into consideration the results achieved through the Committee's deliberations in recent years, the cost-effectiveness of the number of meetings held and the venues chosen for those meetings, as well as other relevant factors.

H. Drug control, crime prevention and combating international terrorism

119. Over the past 10 years, the activities of the United Nations in the fields of drug control, transnational crime prevention and combating international terrorism have grown considerably. This is due to the increasing recognition of the impact of drugs, crime and terrorism on security and development. The United Nations work in these fields is multifaceted, with mandates ranging from the establishment of new organs to requests for reports, studies or conferences to those requesting the provision of technical assistance to Governments. Mandates in this area originate from the General Assembly, the Security Council and the Economic and Social Council, as

well as subsidiary bodies including the Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice.

Overlap among organs

120. The work of the United Nations system in the areas of drug control, crime prevention and combating international terrorism is highly fragmented, partly because of the manner in which mandates are issued in these areas.

121. With regard to drug control and crime prevention, the Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice were created as separate bodies and as such issue mandates separately.[55] However, given the converging nature of the issues that they deal with, Member States have recently begun examining the possibility of merging the two into a unified commission. While a unified commission might not bring significant savings — since the treaty, normative and budgetary responsibilities of the new body would require as much discussion and documentation as they do in the existing commissions — there are potential gains to be made from having strategic direction and policy guidance emanate from a single commission. Member States would therefore be well advised to complete discussion of this proposal as fast as possible. A complementary measure, also under consideration, would be the establishment of a unified trust fund, combining the United Nations Crime Prevention and Criminal Justice Fund and the Fund of the United Nations International Drug Control Programme. A more effective, single administration of the currently divided funding mechanisms would be the financial counterpart of a single, more effective commission.

122. With regard to terrorism, the three counter-terrorism subsidiary bodies of the Security Council (Counter-Terrorism Committee, Committee established pursuant to resolution 1267 (1999), Committee established pursuant to resolution 1540 (2004)) were established in different historical contexts and with different aims, and therefore each is asked to report separately to the Security Council. However, there is a certain amount of overlap, because the three bodies report on similar issues, and there can also be overlap among their country visits. Additionally, each often has a different procedure for dealing with non-complying States. Both immediate and process-based practical measures can be taken to address these issues. First, the Security Council could consider within the coming months ways to consolidate the separate reporting obligations of the three bodies into a single one. Immediate steps could also be taken to combine the country missions of each into a single mission including experts from all three. While this currently occurs informally to some extent, a formalization of the process would help to improve coordination. In addition, the Security Council could think about a universal procedure or common norm for the bodies to follow when dealing with non-complying States. In the long run, it would be a good idea to look at the possibility of creating a single subsidiary body that covers all the expertise of the current three. This body could include experts in different areas and would in effect take care of the other problems mentioned. Of course the implementation of any of these recommendations would require a special resolution of the Security Council.

[55] See Economic and Social Council resolutions 9 (I), para. 1, and 1992/1, para. 2, respectively.

Mandates and resources

123. The involvement of the United Nations in the areas of drug control, crime prevention and combating international terrorism continues to expand, and even the growing demand for United Nations activities in these areas, it is important that any unnecessary overlap or duplication be identified so that resources saved can be transferred to the many important aspects of work in the field that are currently under-resourced. For example, like many other areas within the United Nations, those of drug control, crime prevention and combating terrorism are burdened by a proliferation of mandates requesting reports or documentation. At the same time, the monitoring of conventions in these areas is becoming increasingly important, and resources for establishing conferences for this purpose are scarce. Within the coming months, therefore, Member States should examine the proliferation of reporting and documentation requirements in these areas, with the aim of streamlining or merging them where possible and transferring freed resources to higher-priority activities, including the monitoring of certain conferences and conventions.

V. Gender equality and empowerment of women

124. Gender equality and the empowerment of women are among those issues that, like the environment, peacebuilding and human rights, have been increasingly cutting across the work of the Organization in the course of the past three decades.

125. As mentioned in section IV above, specific intergovernmental processes have been initiated to address some of these cross-cutting issues. A consultative process in the General Assembly has been set up to explore the institutional architecture in the area of environment, to ensure an adequate institutional response to today's environmental challenges. The High-level Panel on System-wide Coherence will address the role of the United Nations in the normative area of multilateral environmental agreements, and the mainstreaming of the environmental perspective in United Nations country-level activities. The creation of the Peacebuilding Commission and the Human Rights Council will offer the opportunity and the necessary forums to rationalize mandates in the areas of peacebuilding and human rights towards a more concerted and strategic approach, once the General Assembly has decided on the roles and responsibilities of the new architecture.

126. Gender-related issues deserve equal attention. The 2005 Summit Outcome reiterates that "progress for women is progress for all" and reflects the commitments of Member States to "strengthen the capabilities of the United Nations system in the area of gender".[56] There are a large number of general mandates from a wide variety of intergovernmental bodies which call for actions on gender equality, and there is a need for a thorough review.

127. A major issue for immediate consideration is the large number of reports on the status of women prepared every year, in addition to those prepared on a biennial or triennial basis. The majority of the mandates for regular reporting arise from the Commission on the Status of Women, the Third Committee of the General Assembly and the Commission on Human Rights, with fewer reporting requirements to the Economic and Social Council. Reporting under the Convention on the Elimination

[56] See resolution 60/1, paras. 58 and 59.

of All Forms of Discrimination against Women needs to be considered separately since this is established under the treaty. An examination of reports mandated on the status of women suggests that some of the reports could be consolidated, particularly those which approach the same issue from different angles, and which are produced for different intergovernmental bodies.

128. For example, some of the documents which could be consolidated include the reports on women in development,[57] within which reporting on the improvement of the situation of women in rural areas[58] may be included (the proposed consolidated report should preferably be addressed to both the Second and Third Committees). Reports on specific aspects of violence against women, such as trafficking in women, traditional practices harmful to women and girls, violence against women migrant workers, and crimes committed in the name of honour,[59] could also be consolidated into a single annual report. My forthcoming in-depth study on violence against women[60] — to be submitted to the General Assembly at its sixty-first session — could provide a strong basis for a more systematic approach to this issue.

129. At the operational level, mandates in this area call on all relevant parts of the system to take concrete action to promote gender equality, but they rarely specify action required from particular entities,[61] resulting in both duplication and gaps in support for the implementation of global commitments on gender equality. Gaps have been identified, for example, in relation to strengthening Member States' capacity to mainstream gender issues at the national level. I would encourage Member States to review progress in the implementation of commitments on gender equality and gender mainstreaming, including the status of the institutional architecture and resource allocation in this area, as well as the mechanisms in place to ensure coherence and coordination across the system.

130. A comprehensive review of institutional resources for gender equality and an evaluation of successes and failures in gender mainstreaming in the work of the United Nations is needed if there is to be meaningful progress towards the achievement of global goals. There is a need to strengthen the internal institutional mechanisms put in place, such as capacity-building, methodologies and tools; the impact on activities and outcomes; the commitment at the policy and management levels; and the human and financial resources allocated. The gaps in coherence, collaboration and coordination of the work of the United Nations on gender issues need to be explicitly addressed, building on the work of the Inter-Agency Network on Women and Gender Equality, the Chief Executives Board for Coordination and the United Nations Development Group. While the mandates of the Office of the Special Adviser on Gender Issues and Advancement of Women, the Division for the Advancement of Women, the United Nations Development Fund for Women and the

[57] Mandated by resolution 3342 (XXIX), para. 4, and most recently reaffirmed in resolution 60/210.

[58] Mandated by resolution 3523 (XXX), para. 5, and most recently reaffirmed in resolution 60/138.

[59] These reports have been mandated respectively by resolutions 49/166, para. 11; 52/99, para. 4; 47/96, para. 6; and 55/66, para. 7.

[60] Mandated by resolution 58/185.

[61] See for example resolution 59/167, in which the General Assembly urged "relevant entities" of the United Nations system to assist countries in their efforts to prevent and eliminate violence against women, or resolution 60/138, in which the Assembly invited "relevant organizations and bodies of the United Nations system, in particular those dealing with issues of development" to address the empowerment of rural women.

United Nations International Research and Training Institute for the Advancement of Women (INSTRAW) were spelled out in founding and subsequent resolutions, there have since been some shifts in interpretation which need to be addressed.

131. The revision of mandates in this area is one of the steps to be taken to move towards improved clarity on institutional responsibilities and more concerted action in relation to gender equality. There is a need to assess the progress made across the system, the gaps and challenges remaining, and ways to improve outcomes. I will ask the High-level Panel on System-wide Coherence to include in its work an assessment of how gender equality, including through gender mainstreaming, can be better and more fully addressed in the work of the United Nations, particularly in its operational activities on the ground.

VI. United Nations research and training institutions

132. Research and training are important dimensions of any modern organization. For the United Nations, facing numerous challenges on a broad canvas of issues, the ability to provide in-depth independent and balanced research findings, as well as appropriate training for its staff and for Member States, is indispensable. The various United Nations training and research institutions have evolved in an ad hoc manner. Over the past 45 years, the institutes have emerged with their own agendas and clients, and with various competing programmes. The institutes are at present rather scattered and de-linked from one another. Their impact on the system is thus fragmented and compartmentalized, the whole being much less than the sum of the parts.

133. Currently, the scope of United Nations research and training institutes ranges from economic and social development to disarmament and security matters to gender issues to crime prevention and criminal justice. The institutes involved in these areas are autonomous entities that have been established by mandates from, and report to, the General Assembly (United Nations University (UNU),[62] United Nations Institute for Disarmament Research,[63] United Nations Institute for Training and Research (UNITAR),[64] United Nations System Staff College[65]), by the Economic and Social Council (INSTRAW,[66] United Nations Interregional Crime

[62] Established by the General Assembly in resolution 2951 (XXVII), most recently reaffirmed in resolution 59/253. Pursuant to the founding resolution, UNU is an autonomous organ of the General Assembly.

[63] Established by resolution 34/83 M, most recently reaffirmed in resolution 60/89.

[64] Resolution 1934 (XVIII), on the recommendation of the Economic and Social Council. The General Assembly revised the mandate of UNITAR in resolution 42/197 and most recently reaffirmed it in resolution 59/252. In resolution 52/206, the Assembly defined the division of labour with UNU and the Staff College.

[65] Established by the Secretary-General in 1996 as a project. The General Assembly established the Staff College as an entity by resolution 55/207, most recently reaffirmed in resolution 58/224.

[66] Established by the Economic and Social Council in resolution 1998 (LX), most recently reaffirmed in General Assembly resolution 59/266.

and Justice Research Institute[67]), and by the Secretary-General (United Nations Research Institute for Social Development (UNRISD)[68]).

134. Priorities and activities of these institutes are directed by their respective governing bodies. An analysis of their mandates and activities reveals common problems, mainly related to deficiencies in coordination and cooperation efforts, lack of rationalization, ambiguity in the lines of accountability, and lack of the effective impact evaluation essential to establishing priorities in their work plans. In reviewing their mandates, it is important to examine whether full account has been taken of the work already done and the potential for making new contributions responsive to the needs of all Member States.

135. Coordination of the research and training institutes and cooperation between them and other United Nations entities should be improved in order to avoid duplication and to ensure the most efficient use of funds. Such strengthened coordination, as well as active involvement with the international academic community, would greatly increase the relevance and visibility of these institutions. The existing networking mechanism should be strengthened so as to build a solid knowledge network. Taking into account the geographic spread of United Nations entities and research and training institutions, coordination would be facilitated by effective Internet-based networks and electronic discussion forums.

136. An accountability system is needed, including a periodic review, through regular assessment processes and surveys, of the institutes' impact on and relevance to the requirements of Member States and the Organization as a whole. This would help to ensure that the research and training done is relevant to the work of policy makers. The establishment of a common policy on United Nations research and training institutes would help to streamline decision-making and oversight, increase efficiency, remove inconsistencies and ensure the independence of the institutes. Furthermore, in order to avoid overlaps and duplication of work, specific projects should be linked to a portfolio of agreed areas of research approved both by the principal organs and by the governing bodies. In presenting their proposed area of work these institutions should place before their governing bodies a detailed list of the projects carried out by all United Nations institutes so that an informed decision can be made and duplication of effort avoided.

137. To facilitate coherent oversight and evaluation of work, the reporting architecture could also be revised. Currently, the institutes' activities are discussed individually and within different organs. As a way to increase transparency and strengthen intergovernmental coordination, consideration of the reports of UNU, UNITAR[69] and the Staff College[70] could be centralized under one agenda item in

the Economic and Social Council on a biennial basis. For my part, I will be reviewing the mandate of UNRISD, including its relevance and effectiveness.[71]

138. It is time to consider the consolidation of these institutes into one United Nations educational research and training system that would facilitate the rationalization of their structures and operations and maximize their contribution to the United Nations system. A United Nations research and training system would permit a unifying vision and an overarching set of strategic directions for the various institutions. It would also be consistent with the broader thrust of management reform, and would produce operational and management gains.

139. The collective system of research and training institutes should aspire to be the intellectual engine for the United Nations policymaking and operational activities.

VII. Concluding observations

140. The review that Member States are about to engage in offers them a potentially historic opportunity to ensure that the United Nations is in a position to respond effectively to the needs of today's world. While it is up to Member States to set the pace of this exercise, I believe this report can help them to proceed with it in two phases. In the first phase, they could examine those issues for which problems are clearly identifiable and decisions can be made in the short term. This report indicates some concrete actions for correcting problems on which immediate decisions can be taken. While some of these may seem obvious, they can ensure a significant step forward in improving the work of the Organization.

141. Issues for decision in the second phase could be those for which clear answers are not immediately apparent, and for which a longer, more in-depth process may be needed. These may include those issues which require consideration of the division of labour between intergovernmental organs, the current institutional architecture of the United Nations system, and resource allocation. While intergovernmental processes have already been initiated that can look at the various mandates in some issue areas, on my part I will continue to support the work of Member States in reviewing mandates in all areas that deserve consideration. In addition, the High-level Panel on System-wide Coherence will contribute with proposals on how to improve the delivery system of the Organization. Decisions made by Member States in the longer term may lead to the fundamental changes that are necessary for a coordinated United Nations which can effectively address their present, as opposed to past, priorities.

142. This is an exercise that will prove complex, intensive and, at times, daunting. It is my hope that the Member States will pursue it in a manner that respects all views and that enables the process to achieve the purposes for which it was intended, to strengthen and update the important work of this Organization.

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[71] The Secretary-General's Bulletin of 1963 established the Institute as part of the first United Nations Development Decade for a period of three to five years. No General Assembly or Economic and Social Council resolutions followed. Currently, UNRISD does not report to any principal organ.